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June 30, 2004

Honorable Benson E. Legg, Chief Judge
United States District Court
Chambers, 3rd Floor
101 West Lombard Street
Baltimore, MD 21201

VIA ECF

RE: Jamie Garcia, et al., v. Ronald D. Kirstien, et al
Civil Action No. BEL 01 CV 0103

Dear Judge Legg:

We were before the Court on May 6, 2004, on Defendants' Motions for Summary Judgment. At that time, counsel for Mr. Kirstien and Mr. Rothstein, Craig Roswell, inquired of the Court whether this matter was going to trial on the scheduled date of July 19th. The Court directed that all sides give their positions concerning the July trial date. Both Defendants advised the Court that they could not begin to prepare for trial until the Court ruled on the pending summary judgment motions. Plaintiffs' counsel advised the Court that he was prepared to go to trial on July 19th. As of this date we have not been advised of the trial status.

Further, since the Court has not held a final pre-trial conference and no scheduling order has issued setting the specific deadline, Plaintiffs' counsel has not circulated, and the parties have not prepared, a proposed pre-trial order required under Local Rule 106.

The Court is respectfully requested to advise the parties of the status of the scheduled trial at the earliest possible time.

Very truly yours,

/s/ Patrick J. Kearney

Patrick J. Kearney
Counsel for Randy Habeck

cc: David F. Albright, Esquire (by ECF)
Craig Roswell, Esquire (by ECF)